

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**R.A. KNUTSON, M.D.**

**PLAINTIFF**

**VERSUS**

**CIVIL ACTION NO. 4:07CV139-P-S**

**JOHN H. KIM**

**DEFENDANT**

**ORDER**

This cause is before the Court on defendant Kim's Motion in Limine to Exclude the Opinions of Plaintiff's Expert [23]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

In response to the instant motion, plaintiff's counsel transmitted an electronic mail communication notifying the court and opposing counsel of plaintiff's withdrawal of Jim Kitchens as an expert witness in the present action. In view of the foregoing, the Court finds this motion should be dismissed as moot.

IT IS, THEREFORE, ORDERED AND ADJUDGED that defendant Kim's Motion in Limine to Exclude the Opinions of Plaintiff's Expert [23] should be, and hereby is, DISMISSED AS MOOT.

SO ORDERED, this the 13<sup>th</sup> day of August, 2008.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE